

REMARKS

Claims 1-41 remain pending in the present application. Claims 1, 2, 13, 36 and 40 have been amended. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 27-32, 34-35 and 37-41 are rejected under 35 U.S.C. § 102(b) as being anticipated by Kishi, et al. (U.S. Pat. No. 5,127,708). Applicants respectfully traverse this rejection.

Claim 1 has been amended to include the limitations of a seat heating system for heating the surface of the seat and at least one of a vehicle A/C system and a seat vibration system.

Kishi, et al. '708 does not disclose, teach or suggest a heating system for heating the seat. The Examiner on the bottom of page 2 and the top of page 3 states that Kishi, et al. meets the limitation of at least one of a vehicle A/C system, a seat heating system and a seat vibration system. Claim 1 now defines a heating system for the surface of the seat and Kishi, et al. clearly does not disclose this limitation.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 2-35 and 37, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 38-39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kishi, et al. Claims 38 and 39 ultimately depend from Claim 1. As stated above, Claim 1 has been amended and is now believed to patentably distinguish over the art of record. Likewise, Claims 2-35 and 37, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

ALLOWABLE SUBJECT MATTER

Claims 36 and 40-41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 36 depended from Claim 30 which depended from Claim 29 which depended from Claim 28 which depended from Claim 27 which depended from Claim 1. Claim 36 has been amended to independent form to include the limitations of original Claims 1, 27, 28, 29 and 30 and is thus believed to be allowable.

Claim 40 depended from Claim 1. Claim 40 has been amended to independent form to include the limitations of Claim 1 and is thus believed to be allowable. Claim 41 depends from Claim 40.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request

that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By: 

~~Michael J. Schmidt, 34,007~~

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